



Legislation Text

File #: 19-0383, Version: 0

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Introductory*

City of Baltimore

Council Bill

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
A Bill Entitled

An Ordinance concerning
City Streets - Closing - Bauernschmidt Alley and 2 10-Foot Alleys Bounded by North Gay Street, East Oliver Street, North Washington Street, and Federal Street
For the purpose of condemning and closing Bauernschmidt Alley and 2 10-foot alleys bounded by North Gay Street, East Oliver Street, North Washington Street, and Federal Street, as shown on Plat 309-A-29A in the Office of the Department of Transportation; and providing for a special effective date.

By authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Department of Transportation shall proceed to condemn and close Bauernschmidt Alley and 2 10-foot alleys bounded by North Gay Street, East Oliver Street, North Washington Street, and Federal Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Federal Street 66 feet wide and the west side of a 10-foot alley, the point of beginning being distant Easterly 75 feet, more or less, measured along the south side of Federal Street from the east side of North Washington Street 70 feet wide; thence binding on the south side of Federal Street Easterly 10 feet, more or less, to the east side of the 10-foot alley; thence binding on the east side of the 10-foot alley Southerly 131.9 feet, more or less, to intersect the northeast side of Bauernschmidt Alley 15 feet wide; thence binding on the northwest side of Bauernschmidt Alley Southwesterly 11.2 feet, more or less, to the west side of the 10-foot alley and thence binding on the west side of the 10-foot alley Northerly 137 feet, more or less, to the place of beginning.

Containing 1344.55 square feet or 0.03 acres, more or less.

Beginning for parcel No. 2 at the point formed by the intersection of the south side of Federal Street 66 feet wide and the west side of Bauernschmidt Alley 15 feet wide, the point of beginning being distant Easterly 220.4 feet, more or less, measured along the south side of Federal Street from the east side of North Washington Street 70 feet wide; thence binding on the south side of Federal Street Easterly 21.5 feet, more or less, to the southeast side of Bauernschmidt Alley; thence along the southeast side of Bauernschmidt Alley Southwesterly 224.2 feet, more or less, to the east side of a 10-foot alley; thence crossing the 10-foot alley Southwesterly 16.6 feet, more or less; thence binding on the south side of Bauernschmidt Alley Westerly 67 feet, more or less, to intersect the east side of North Washington Street; thence binding on the east side of North Washington Street Northerly 15 feet, more or less, to the north side of Bauernschmidt Alley; thence with the north and northwest side of the alley, the following 4 courses and distances Easterly 66 feet; thence Northeasterly 15.8 feet; thence Northeasterly 11.2 feet and thence Northeasterly 189.0 feet, more or less, to the place of beginning.

Containing 4449.66 square feet or 0.102 acres, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the south side of Bauernschmidt Alley 15 feet wide and the west side of a 10-foot alley, the point of beginning being distant Easterly 67 feet, more or less, measured along the south side of Bauernschmidt Alley from the east side of North Washington Street 70 feet wide; thence leaving the west side of the 10-foot alley Northeasterly 16.6 feet, more or less, to the east side of the 10-foot alley; thence binding on the east side of the 10-foot alley Southwesterly 108.9 feet, more or less to a point on the southwest side of the 10-foot alley there situate; thence binding on the southwest side of the 10-foot alley Southwesterly 7.3 feet, more or less, to the south side of the 10-foot alley; thence binding on the south side of the 10-foot alley Westerly 33.5 feet, more or less, to intersect the east side of North Washington Street; thence binding on the east side of North Washington Street Northerly 10 feet, more or less, to the north side of the 10-foot alley; thence Easterly 32.0 feet, more or less, to the west side of the 10-foot alley; thence Northeasterly 92.4 feet, more or less, to the place of beginning.

Containing 1369.14 square feet or 0.031 acres, more or less.

As delineated on Plat 309-A-29A, prepared by the Survey Section and filed on October 17, 2018, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of Bauernschmidt Alley and 2 10-foot alleys bounded by North Gay Street, East Oliver Street, North Washington Street, and Federal Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Transportation and filed with the Department of Legislative Reference.

Section 3. And be it further ordained, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

Section 4. And be it further ordained, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or

structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Transportation of Baltimore City.

Section 5. And be it further ordained, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

Section 6. And be it further ordained, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

Section 7. And be it further ordained, That this Ordinance takes effect on the date it is enacted.